

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

VOIP-PAL.COM, INC.,

Plaintiff,

v.

T-MOBILE USA, INC.,

.

Defendant.

CIVIL ACTION NO. 6:21-cv-674-ADA

**DECLARATION OF LEWIS E. HUDNELL, III IN SUPPORT OF VOIP-PAL.COM INC.'S  
OPPOSITION TO T-MOBILE'S MOTION FOR SANCTIONS BASED ON VOIP-PAL'S  
[ALLEGED] VIOLATION OF THE COURT'S ORDER DATED FEBRUARY 23, 2023**

I, Lewis E. Hudnell, III, declare and state as follows:

1. I am an attorney licensed to practice law in the State of California and the State of New York and admitted to practice in this District.
2. I am an attorney at the Hudnell Law Group, P.C., 800 W. El Camino Real Suite 180, Mountain View, California 94040 representing Plaintiff VoIP-Pal.com, Inc. ("VoIP-Pal") in the above-captioned case.
3. I make this declaration in Support of VoIP-Pal.Com, Inc.'s Opposition To VoIP-Pal.Com Inc.'s Opposition To T-Mobile's Motion For Sanctions Based On VoIP-Pal's [Alleged] Violation Of The Court's Order Dated February 23, 2023. I have personal knowledge of the facts contained in this Declaration and, if called as a witness, I could and would testify competently to those facts.
4. Attached to this declaration as Exhibit 1 is a true and correct copy of an email from counsel for VoIP-Pal to counsel for T-Mobile dated August 21, 2023.
5. Attached to this declaration as Exhibit 2 is a true and correct copy of an email thread between counsel for the parties and the Court dated May 10, 2023 through May 26, 2023.

6. Attached to this declaration as Exhibit 3 is a true and correct copy of a consulting agreement between Digifonica Limited and Websense Systems, Inc. dated July 18, 2013.

7. Attached to this declaration as Exhibit 4 is a true and correct copy of printout from the USPTO patent practitioner database for Raymond Salenieks.

8. Attached to this declaration as Exhibit 5 is a true and correct copy of an email thread between counsel for the parties dated October 4, 2023 through October 18, 2023.

9. VoIP-Pal spent over six weeks conducting two separate reviews of the 61,000 documents subject to the Court's Order, employing 22 reviewers who spent over 2,700 hours reviewing documents.

10. During the meet and confer that preceded this Motion, I specifically inquired whether T-Mobile was seeking any other relief besides an adverse inference and fees for bringing the Motion. T-Mobile indicated that it was not. I took contemporaneous notes of the meet and confer that reflect this fact. VoIP-Pal first learned that T-Mobile was seeking "the fees and costs [T-Mobile] incurred weeding through all of its versions of its deficient privilege log, bringing the prior motion to compel, bringing the May 10, 2023 motion, ... and repeatedly conferring with VoIP-Pal regarding all of these issues" and "an instruction describing VoIP-Pal's discovery abuses to the jury prior to deliberation in this case" is T-Mobile's the Motion.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 18th day of October 2023, in Mountain View, California.

/s/ Lewis E. Hudnell, III  
Lewis E. Hudnell, III